

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NIKITA OZKAN,

Plaintiff,

v.

UNKNOWN DEFENDANTS,

Defendant.

CASE NO. C17-5144RBL

ORDER OF DISMISSAL

THIS MATTER is before the Court on Plaintiff Ozkan's proposed amended complaint [Dkt. #3] in support of his application to proceed *in forma pauperis* [Dkt. #1].

The Court ordered Ozkan to pay the filing fee or file an amended proposed amended complaint addressing a number of deficiencies in his first attempt. [Dkt. #2]. The Document he filed in response is no closer to articulating a plausible claim than was his first complaint.

A district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad discretion in resolving the application, but "the privilege of proceeding *in forma pauperis* in civil actions for damages should be sparingly granted." *Weller v. Dickson*, 314 F.2d 598, 600 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should "deny leave to proceed

1 *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the
2 action is frivolous or without merit.” *Tripathi v. First Nat’l Bank & Trust*, 821 F.2d 1368, 1369
3 (9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis*
4 complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v.*
5 *Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir.
6 1984).

7 Ozkan’s proposed amended complaint does not meet this standard. It remains a
8 disorganized collection of words, and it has not identified any single act or defendant or claim. It
9 has no ascertainable “facts;” it does not make sense:

10 Board of County Commissioners
11 Wasco Sherman County OREGON
12 Claim Form Procedures the following
13 form is in New Information Provide
14 Process More Active Notice of Rights
15 Proceed lawsuit In County Jail
16 In Prisoners Valuating Case
17 Homicide Alcohol Beverage Federal
18 From it Attorney form and
19 Completely Proceeding Supplement
20 Dismissal Consideration From
21 Technician's Disbursement Instruments
22 County Jail Prisoner 10 million Dollars
23
24

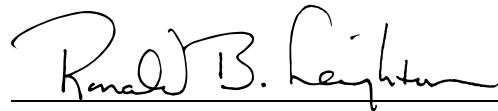
1 Dalles Washington In County Jail
2 Murder Adultery Sexuals Negligence
3 Prisoner In Key Ring Self Door Pad
4 Over Violating Case Homeless
5 Debt Revers Chains wrapped Around
6 In Dalles County Jail Wined Tipping
7 Prisoner WITH Prison Case Federal Bureau
8 Mental Burden Court and Hearings
9 Menslaughter Declare Out and Actions

9 The document is 28 pages long, but the above sample is representative of the remainder.

10 The Motion to proceed in forma pauperis is DENIED, and this case is DISMISSED as
11 frivolous on its face. The Clerk shall send the plaintiff a copy of this Order and close the case.

12 IT IS SO ORDERED.

13 Dated this 22nd day of May, 2017.

14 

15 Ronald B. Leighton
16 United States District Judge